

Message

From: Dunning, Connell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A17E1F6374C4015A5409422366C55EF-CDUNNING]
Sent: 10/4/2018 8:50:48 PM
To: Gerdes, Jason [Gerdes.Jason@epa.gov]
CC: Goforth, Kathleen [Goforth.Kathleen@epa.gov]
Subject: Fwd: Draft for discussion: Follow-up Survey Questions
Attachments: Draft Follow-up Survey Questions 9-13-18 R-5 comments.docx; ATT00001.htm

Ex. 5 Deliberative Process (DP)

Connell

Connell Dunning
EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105
415-947-4161
dunning.connell@epa.gov

Begin forwarded message:

From: "Westlake, Kenneth" <westlake.kenneth@epa.gov>
Date: September 19, 2018 at 11:09:29 AM PDT
To: "Knight, Kelly" <knight.kelly@epa.gov>, "Timmermann, Timothy" <Timmermann.Timothy@epa.gov>, "Musumeci, Grace" <Musumeci.Grace@epa.gov>, "Mitchell, Judy-Ann" <Mitchell.Judy-Ann@epa.gov>, "Lapp, Jeffrey" <lapp.jeffrey@epa.gov>, "Rudnick, Barbara" <Rudnick.Barbara@epa.gov>, "Militscher, Chris" <Militscher.Chris@epa.gov>, "Houston, Robert" <Houston.Robert@epa.gov>, "Tapp, Joshua" <Tapp.Joshua@epa.gov>, "Strobel, Philip" <Strobel.Philip@epa.gov>, "Schuller, Jennifer" <Schuller.Jennifer@epa.gov>, "Goforth, Kathleen" <Goforth.Kathleen@epa.gov>, "Dunning, Connell" <Dunning.Connell@epa.gov>, "Nogi, Jill" <nogi.jill@epa.gov>
Subject: RE: Draft for discussion: Follow-up Survey Questions

Kelly,
Thanks for giving the regions an opportunity to contribute to the content of the draft follow-up

Ex. 5 Deliberative Process (DP)

Ken

From: Knight, Kelly
Sent: Wednesday, September 19, 2018 6:36 AM
To: Timmermann, Timothy <Timmermann.Timothy@epa.gov>; Musumeci, Grace <Musumeci.Grace@epa.gov>; Mitchell, Judy-Ann <Mitchell.Judy-Ann@epa.gov>; Lapp, Jeffrey <lapp.jeffrey@epa.gov>; Rudnick, Barbara <Rudnick.Barbara@epa.gov>; Militscher, Chris <Militscher.Chris@epa.gov>; Westlake, Kenneth <westlake.kenneth@epa.gov>; Houston, Robert <Houston.Robert@epa.gov>; Tapp, Joshua <Tapp.Joshua@epa.gov>; Strobel, Philip <Strobel.Philip@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Dunning, Connell <Dunning.Connell@epa.gov>; Nogi, Jill

<nogi.jill@epa.gov>

Subject: FW: Draft for discussion: Follow-up Survey Questions

Good Morning –

Attached is our first stab at follow-on survey questions.

Ex. 5 Deliberative Process (DP)

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Thoughts and recommendations would be much appreciated.

Thanks

From: Roemele, Julie

Sent: Tuesday, September 18, 2018 9:21 AM

To: Knight, Kelly <knight.kelly@epa.gov>

Subject: Draft for discussion: Follow-up Survey Questions

Kelly,

Attached are the draft Follow-up survey questions.

Julie A. Roemele
Environmental Protection Agency
Office of Federal Activities
NEPA Compliance Division
202-564-5632

Message

From: Dunning, Connell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A17E1F6374C4015A5409422366C55EF-CDUNNING]
Sent: 10/22/2018 8:53:33 PM
To: Knight, Kelly [knight.kelly@epa.gov]; Timmermann, Timothy [Timmermann.Timothy@epa.gov]; Musumeci, Grace [Musumeci.Grace@epa.gov]; Mitchell, Judy-Ann [Mitchell.Judy-Ann@epa.gov]; Lapp, Jeffrey [lapp.jeffrey@epa.gov]; Rudnick, Barbara [Rudnick.Barbara@epa.gov]; Militscher, Chris [Militscher.Chris@epa.gov]; Westlake, Kenneth [westlake.kenneth@epa.gov]; Houston, Robert [Houston.Robert@epa.gov]; Tapp, Joshua [Tapp.Joshua@epa.gov]; Strobel, Philip [Strobel.Philip@epa.gov]; Schuller, Jennifer [Schuller.Jennifer@epa.gov]; Goforth, Kathleen [Goforth.Kathleen@epa.gov]; Nogi, Jill [nogi.jill@epa.gov]
CC: Trice, Jessica [Trice.Jessica@epa.gov]; Roemele, Julie [Roemele.Julie@epa.gov]; Barnhart, Megan [Barnhart.Megan@epa.gov]; Hessert, Aimee [Hessert.Aimee@epa.gov]; Suriano, Elaine [Suriano.Elaine@epa.gov]; Rountree, Marthea [Rountree.Marthea@epa.gov]; Schaedle, Candi [Schaedle.Candi@epa.gov]; Brush, Jason [Brush.Jason@epa.gov]
Subject: RE: 309 memo

Thanks Kelly.

A few suggested edits and notes:

Ex. 5 Deliberative Process (DP)

Thanks for asking for our feedback!
Connell

Connell Dunning
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US EPA Region IX, Pacific Southwest
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Pollinators, including bees, butterflies, birds, and bats, are an important part of our ecosystem and food supply chain. Plants, like fruits and vegetables, need bees and other pollinators to help them grow.

Find out how EPA is protecting pollinators: <https://www.epa.gov/pollinator-protection>

From: Knight, Kelly
Sent: Monday, October 22, 2018 1:01 PM
To: Timmermann, Timothy <Timmermann.Timothy@epa.gov>; Musumeci, Grace <Musumeci.Grace@epa.gov>; Mitchell, Judy-Ann <Mitchell.Judy-Ann@epa.gov>; Lapp, Jeffrey <lapp.jeffrey@epa.gov>; Rudnick, Barbara <Rudnick.Barbara@epa.gov>; Militscher, Chris <Militscher.Chris@epa.gov>; Westlake, Kenneth <westlake.kenneth@epa.gov>; Houston, Robert <Houston.Robert@epa.gov>; Tapp, Joshua <Tapp.Joshua@epa.gov>; Strobel, Philip <Strobel.Philip@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Dunning, Connell <Dunning.CConnell@epa.gov>; Nogi, Jill <nogi.jill@epa.gov>
Cc: Trice, Jessica <Trice.Jessica@epa.gov>; Roemele, Julie <Roemele.Julie@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Hessert, Aimee <Hessert.Aimee@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Rountree, Marthea <Rountree.Marthea@epa.gov>; Schaedle, Candi <Schaedle.Candi@epa.gov>
Subject: 309 memo

All – Ex. 5 Deliberative Process (DP)
in our letters. Suggested edits are welcome.

Ex. 5 Deliberative Process (DP)

Kelly Knight
Director, NEPA Compliance Division
Environmental Protection Agency
202-564-2141 (office)

Ex. 6 Personal Privacy (PP)

(cell)

Message

From: Dunning, Connell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A17E1F6374C4015A5409422366C55EF-CDUNNING]
Sent: 10/25/2018 9:32:11 PM
To: Brush, Jason [Brush.Jason@epa.gov]
Subject: Fwd: EPA: Trump admin jettisons letter grades for NEPA reviews

Connell Dunning
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75 Hawthorne Street
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Begin forwarded message:

From: "Gerdes, Jason" <Gerdes.Jason@epa.gov>
Date: October 25, 2018 at 2:23:48 PM PDT
To: "Appleton, Zac" <Appleton.Zac@epa.gov>, "Ardillo, Anne" <ARDILLO.ANNE@EPA.GOV>, "Capilla, Morgan" <capilla.morgan@epa.gov>, "Dunning, Connell" <Dunning.Connell@epa.gov>, "Geselbracht, Jeanne" <Geselbracht.Jeanne@epa.gov>, "Goforth, Kathleen" <Goforth.Kathleen@epa.gov>, "Hoffman, Hugo" <Hoffman.Hugo@epa.gov>, "KELLY, PATRICKJ" <kelly.patrickj@epa.gov>, "McPherson, Ann" <McPherson.Ann@epa.gov>, "meek, clifton" <meek.clifton@epa.gov>, "Mulvihill, Carolyn" <Mulvihill.Carolyn@epa.gov>, "Munson, James" <MUNSON.JAMES@EPA.GOV>, "Plenys, Thomas" <Plenys.Thomas@epa.gov>, "Priatel, Jean" <PRIATELJEAN@EPA.GOV>, "Vitulano, Karen" <Vitulano.Karen@epa.gov>
Cc: "Truitt, Roberta" <truitt.roberta@epa.gov>
Subject: EPA: Trump admin jettisons letter grades for NEPA reviews

EPA: Trump admin jettisons letter grades for NEPA reviews

Nick Sobczyk and Maxine Joselow, E&E News reporters

Published: Thursday, October 25, 2018

EPA will no longer issue letter grades in its reviews of environmental permitting documents, according to a memo issued earlier this week.

The memo states that EPA will stop using the Reagan-era grading system in draft environmental impact statements (EISs) issued under the National Environmental Policy Act.

It's a change long sought by industry and worrisome to some environmentalists, who say it could undermine transparency and public participation in the permitting process.

Brittany Bolen, a Trump appointee who leads the Office of Policy, shared the memo with colleagues Monday, according to an email obtained by E&E News.

"Please see attached memo revising EPA's environmental review rating process under NEPA," Bolen wrote. "If you have any questions, please do not hesitate to contact me."

Scott Slesinger, legislative director with the Natural Resources Defense Council, said the change could make it harder for the public to interpret draft environmental assessments. The documents can be hundreds of pages long, and a simple letter grade can make them easier to digest, he said.

"Removing the grading system makes it harder for the press and for the public to really evaluate what type of draft EIS they've done," Slesinger said.

Slesinger used the analogy of students showing parents their report cards. Without letter grades, he said, parents would find it harder to interpret their child's performance.

Section 309 of the Clean Air Act gives EPA power to review other agencies' draft EISs, an authority the Trump administration proposed to eliminate as part of its infrastructure plan released earlier this year (*Greenwire*, Feb. 12).

EPA says tossing out letter grades in those reviews "will not lessen environmental protections." Rather, the change will "eliminate perceptions that ratings are inconsistently applied across the Agency," Bolen wrote in the memo.

She added that EPA had received feedback from officials at other federal agencies, who said EPA's written comments on their environmental review documents are more useful than the letter grades.

NEPA experts said the change is small but significant — and perfectly legal.

The tweaks to EPA's Section 309 reviews are a commonsense fix to what had become "an antiquated procedure," said Fred Wagner, a partner with Venable LLP who served as chief counsel for the Federal Highway Administration under President Obama.

Wagner said that in his experience, the vast majority of documents got a grade of "EC," for "environmental concerns." Agencies would then go in and make changes or add explanations to the document, which will still happen under the new guidance.

In short, the grades themselves had become meaningless, Wagner said. "I've been mentioning this to people for over 10, almost 15 years," he said.

The change has already won the praise of industry groups, such as the National Association of Manufacturers, which say it's one more step in the administration's efforts to reduce permitting time for infrastructure projects.

"These improvements will help increase manufacturers' ability to create jobs and to remain globally competitive," Robyn Boerstling, NAM's vice president for infrastructure, innovation and human resources policy, said in a statement. "Needless delays to the permitting process have an enormous impact on the infrastructure manufacturers rely on to ship goods to market and to supply affordable and reliable energy."

But Raul Garcia, legislative counsel for Earthjustice, said it's not clear that the change will benefit industry across the board. Instead, he said it could help selectively because it makes EPA's reviews less transparent.

"This is making everything more ambiguous and less clear," Garcia said. "The agency won't know what the standards are. So this isn't an issue that just cuts pro or against industry, or pro enviro."

The Trump administration has sought to make other changes to NEPA permitting, as well. Its most wide-ranging proposal is to rewrite the White House Council on Environmental Quality's NEPA regulations, which guide environmental permitting across the federal government.

EPA didn't immediately respond to a request for comment.

Twitter: [@nick_sobczyk](#) Email: nsobczyk@eenews.net

Jason Gerdes
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San Francisco, CA 94105
(415) 947-4221

Message

From: Dunning, Connell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A17E1F6374C4015A5409422366C55EF-CDUNNING]
Sent: 10/25/2018 8:26:09 PM
To: Munson, James [MUNSON.JAMES@EPA.GOV]
Subject: FW: 10/24/'8 – Notes from call - Implementation Directions from HQ-OFA about discontinuing ratings.

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Pollinators, including bees, butterflies, birds, and bats, are an important part of our ecosystem and food supply chain. Plants, like fruits and vegetables, need bees and other pollinators to help them grow.

Find out how EPA is protecting pollinators: <https://www.epa.gov/pollinator-protection>

From: Dunning, Connell
Sent: Thursday, October 25, 2018 11:02 AM
To: Karen Vitulano <Vitulano.Karen@epa.gov>
Cc: Goforth, Kathleen <Goforth.Kathleen@epa.gov>
Subject: 10/24/'8 – Notes from call - Implementation Directions from HQ-OFA about discontinuing ratings.

10/24/18 – Implementation Directions from HQ-OFA about discontinuing ratings.

Aimee Hessert led a call about the implementation of not having ratings.

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Sent: 10/25/2018 4:47:42 PM
To: R9-ENF-4-2 [R9-ENF-4-2@epa.gov]
Subject: FW: 309 memo - template paragraph

FYI – Will likely be discussed at 10:00 call today.
I have not received feedback from Kelly yet.
Connell

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From: Dunning, Connell
Sent: Monday, October 22, 2018 1:53 PM
To: Knight, Kelly <knight.kelly@epa.gov>; Timmermann, Timothy <Timmermann.Timothy@epa.gov>; Musumeci, Grace <Musumeci.Grace@epa.gov>; Mitchell, Judy-Ann <Mitchell.Judy-Ann@epa.gov>; Lapp, Jeffrey <lapp.jeffrey@epa.gov>; Rudnick, Barbara <Rudnick.Barbara@epa.gov>; Militscher, Chris <Militscher.Chris@epa.gov>; Westlake, Kenneth <westlake.kenneth@epa.gov>; Houston, Robert <Houston.Robert@epa.gov>; Tapp, Joshua <Tapp.Joshua@epa.gov>; Strobel, Philip <Strobel.Philip@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Nogi, Jill <nogi.jill@epa.gov>
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Subject: RE: 309 memo

Thanks Kelly.

A few suggested edits and notes:

Ex. 5 Deliberative Process (DP)



Ex. 5 Deliberative Process (DP)

Thanks for asking for our feedback!
Connell

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From: Knight, Kelly
Sent: Monday, October 22, 2018 1:01 PM
To: Timmermann, Timothy <Timmermann.Timothy@epa.gov>; Musumeci, Grace <Musumeci.Grace@epa.gov>; Mitchell, Judy-Ann <Mitchell.Judy-Ann@epa.gov>; Lapp, Jeffrey <lapp.jeffrey@epa.gov>; Rudnick, Barbara <Rudnick.Barbara@epa.gov>; Militscher, Chris <Militscher.Chris@epa.gov>;



Westlake, Kenneth <westlake.kenneth@epa.gov>; Houston, Robert <Houston.Robert@epa.gov>; Tapp, Joshua <Tapp.Joshua@epa.gov>; Strobel, Philip <Strobel.Philip@epa.gov>; Schuller, Jennifer <Schuller.Jennifer@epa.gov>; Goforth, Kathleen <Goforth.Kathleen@epa.gov>; Dunning, Connell <Dunning.Connell@epa.gov>; Nogi, Jill <nogi.jill@epa.gov>
Cc: Trice, Jessica <Trice.Jessica@epa.gov>; Roemele, Julie <Roemele.Julie@epa.gov>; Barnhart, Megan <barnhart.megan@epa.gov>; Hessert, Aimee <Hessert.Aimee@epa.gov>; Suriano, Elaine <Suriano.Elaine@epa.gov>; Rountree, Marthea <Rountree.Marthea@epa.gov>; Schaedle, Candi <Schaedle.Candi@epa.gov>
Subject: 309 memo

All – still don't have the signed memo.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Kelly Knight
Director, NEPA Compliance Division
Environmental Protection Agency
202-564-2141 (office)

Ex. 6 Personal Privacy (PP)

(cell)

Message

From: Dunning, Connell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5A17E1F6374C4015A5409422366C55EF-CDUNNING]
Sent: 11/9/2018 8:34:30 PM
To: Truitt, Roberta [truitt.roberta@epa.gov]
Subject: RE: draft 11/8/18 staff meeting notes

These look good!

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dunning.connell@epa.gov
phone - 415-947-4161

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From: Truitt, Roberta
Sent: Thursday, November 08, 2018 4:18 PM
To: Dunning, Connell <Dunning.Connell@epa.gov>
Subject: draft 11/8/18 staff meeting notes

Manager's Meeting

- There wasn't one this week.

Section 309 Division Directors Meeting with Rob Tomiak

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Kathy's Korner

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Round Table

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Robin Truitt
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